

201—12.4(17A) Order for hearing. Upon a determination that a plan of compliance is not sufficient to effectuate compliance, or upon request by the agency or facility pursuant to rule 12.3(17A), the department shall issue an order fixing the time and place for hearing. A written notice of hearing together with a statement of the charges shall be mailed to the administrator of the agency or facility at the business address at least ten days prior to the hearing by certified mail with return receipt requested or may be served as in the manner of original notices. Delivery of personal notice to the agency or facility or refusal by the agency or facility to accept certified mailing may constitute commencement of the contested case proceedings.